

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARQUISE TOLBERT,

Defendant.

Case No. CR 23-104

DETENTION ORDER

Mr. Tolbert is charged with two counts of Unlawful Possession of a Firearm, 18 U.S.C. § 922(g)(1). The Court held a detention hearing on July 3, 2023, pursuant to 18 U.S.C. § 3142(f), and based upon the reasons for detention hereafter set forth, finds:

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Mr. Tolbert stipulated to detention.
2. Mr. Tolbert poses a risk of nonappearance due to pending charges, a history of warrants, and criminal activity and other noncompliance while under court jurisdiction, including while under supervision for a Unlawful Possession charge. In addition, there were inconsistencies between Mr. Tolbert's statements to pretrial services and his girlfriend's statement to pretrial services (ex.: Mr. Tolbert told

1 pretrial services that he has no history of mental health diagnoses, but his girlfriend
2 informed pretrial services that Mr. Tolbert told her he had been diagnosed as bipolar
3 and Mr. Tolbert stated he had been living with his girlfriend for the past seven
4 months which she denies.)

5 3. Mr. Tolbert poses a risk of danger due to the nature of the instant offense, and
6 criminal activity while under court jurisdiction.

7 4. Based on these findings, and for the reasons stated on the record, there does not
8 appear to be any condition or combination of conditions that will reasonably assure
9 Mr. Tolbert's appearance at future court hearings while addressing the danger to
10 other persons or the community.

11 IT IS THEREFORE ORDERED:

12 (1) Mr. Tolbert shall be detained pending trial, and committed to the custody of the
13 Attorney General for confinement in a correction facility separate, to the extent
14 practicable, from persons awaiting or serving sentences or being held in custody
15 pending appeal;

16 (2) Mr. Tolbert shall be afforded reasonable opportunity for private consultation with
17 counsel;

18 (3) On order of a court of the United States or on request of an attorney for the
19 government, the person in charge of the corrections facility in which Mr. Tolbert
20 is confined shall deliver the defendant to a United States Marshal for the purpose
21 of an appearance in connection with a court proceeding; and
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1 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
2 counsel for Mr. Tolbert, to the United States Marshal, and to the United States
3 Pretrial Services Officer.

4 Dated this 5th day of July, 2023.

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7 MICHELLE L. PETERSON
8 United States Magistrate Judge
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